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DISTRICT OF NEVADA	
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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**
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UNITED STATES OF AMERICA,

PLAINTIFF,

VS.

ANDREW CARSON IRVINE,

DEFENDANT.

CRIMINAL INDICTMENT

2:08-cr- 340

VIOLATIONS:

18 U.S.C. §2251(a) - Production of Child Pornography;

18 U.S.C. §2252A(a)(2) - Receipt of Child Pornography;

18 U.S.C. §2252A(a)(5)(B) - Possession of Child Pornography;

18 U.S.C. §2422(b) - Coercion and Enticement;

18 U.S.C. §2253 - Criminal Forfeiture

THE GRAND JURY CHARGES THAT:

COUNT ONE

Attempted Production of Child Pornography

Between on or about December 13, 2007, and on or about February 27, 2008,
in the State and Federal District of Nevada and elsewhere,

ANDREW CARSON IRVINE,

defendant herein, did attempt to use, persuade, induce, entice and coerce a person under

1 the age of 18 to engage in sexually explicit conduct for the purpose of producing any visual
2 depiction of such conduct, knowing that such visual depiction would be transported in
3 interstate and foreign commerce and mailed, and that visual depiction was produced using
4 materials that have been mailed, shipped, and transported in interstate and foreign
5 commerce by any means, including by computer, in violation of Title 18, United States Code,
6 Sections 2251(a) and (e).

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8 **COUNT TWO**
Receipt of Child Pornography

9 From an unknown time to on or about February 27, 2008, in the State and
10 Federal District of Nevada,

11 **ANDREW CARSON IRVINE,**

12 defendant herein, did knowingly receive child pornography, as defined in Title 18, United
13 States Code, Section 2256(8), that had been mailed, shipped and transported in interstate
14 commerce and foreign commerce by any means including by computer; and material
15 containing child pornography, as defined in Title 18, United States Code, Section 2256(8),
16 that had been mailed, shipped and transported in
17 interstate and foreign commerce, by any means including by computer, in violation of Title
18 18, United States Code, Section 2252A(a)(2).

19 **COUNT THREE**
20 Possession of Child Pornography

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22 From an unknown time to on or about February 27, 2008, in the State and
23 Federal District of Nevada,

24 **ANDREW CARSON IRVINE,**

25 defendant herein, did knowingly possess any book, magazine, periodical, film, videotape,
26 computer disk and any other material that contained an image of child pornography, as

1 defined in Title 18, United States Code, Section 2256(8), that had been mailed, shipped and
2 transported in interstate and foreign commerce by any means including by computer, and
3 that were produced using materials that had been mailed and shipped and transported in
4 interstate and foreign commerce, by any means including by computer, in violation of Title
5 18, United States Code, Section 2252A(a)(5)(B).

6 **COUNT FOUR**
Coercion and Enticement

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8 From on or about November 2, 2006, to on or about July 3, 2008, in the State
9 and Federal District of Nevada,

10 **ANDREW CARSON IRVINE,**

11 defendant herein, did use a facility of interstate commerce to knowingly persuade, induce,
12 and entice, and to attempt to knowingly persuade, induce, and entice an individual who has
13 not attained the age of 18 years to engage in any sexual activity for which any person can
14 be charged with a criminal offense under federal, state and local law, in violation of Title 18,
15 United States Code, Section 2422(b).

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FORFEITURE ALLEGATION

As a result of committing the offenses in violation of Title 18, United States Code, Sections 2251, 2252A(a)(2) and 2252A(a)(5)(B), set forth above,

ANDREW CARSON IRVINE,

defendant herein, shall forfeit to the United States, pursuant to Title 18, United States Code, Sections 2253(a)(1) and 2253 (a)(3), all visual depictions described in Title 18, United States Code, Sections 2251, 2252A and 2252, and all items containing such visual depictions, which were transported, shipped and received in violation of Title 18, United States Code, Section 2252A and all property, real and personal, used and intended to be used to commit and promote the commission of the aforesated offense, including but not limited to, the following properties: a) computer images depicting a minor engaging in sexually explicit conduct and the diskettes and hard drives on which they are maintained; and b) any and all computers and computer media used to store images depicting a minor engaging in sexually explicit conduct.

DATED: this 1st day of December 2008.

A TRUE BILL:

/s/
FOREPERSON OF THE GRAND JURY

GREGORY A. BROWER
United States Attorney


NANCY J. KOPPE
Assistant United States Attorney